

GOVERNOR DONALD L. CARCIERI
DRAFT LEGISLATION
October 4, 2005

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2005

A N A C T

RELATING TO ENERGY ASSISTANCE

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

SECTION 1. Section 42-7-5 of the General Laws in Chapter 42-7 entitled "Executive Department" is hereby amended to read as follows:

§ 42-7-5 Transfer of functions from the department of community affairs to the governor's office of energy assistance. – (a) There is hereby transferred to the governor's office of energy assistance, or its successor, those functions formerly administered by the department of community affairs relating to:

- (1) Home energy assistance program; and
- (2) Weatherization program.

(b) In addition to any of its other powers and responsibilities, the department is authorized and empowered to accept any grants made available by the United States government or any agency thereof, and the department, with the approval of the

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governor, is authorized and empowered to perform those acts and enter into all necessary contracts and agreements with the United States of America or any agency thereof which may be necessary in the manner and degree which shall be deemed to be in the best interests of the state. The proceeds of any grants so received shall be paid to the general treasurer of the state and deposited by him or her in a separate fund and shall be utilized for the purposes of that grant or those grants.

(c) (i) There shall be created for fiscal year 2006 only, a restricted receipt account, titled the Emergency Home Heating Assistance Fund for Low-Income Seniors and the Disabled ("Fund"), for the purpose of providing assistance to low-income seniors and the disabled with their home heating bills in accordance with the Rhode Island State Energy Office's (RISEO) Low Income Home Energy Assistance Program (LIHEAP) guidelines. Eligible seniors shall be aged 60 and over and shall meet the income qualification rules set forth in the LIHEAP guidelines. Disability qualifications will be determined by the Department of Human Services, Disabilities Determination Unit. The RISEO is authorized under Executive Order 95-24 to administer the federal LIHEAP program.

(ii) The restricted receipt account will be funded from public utilities gross earnings tax collections in excess of the enacted FY 2006 estimate for public utilities gross earnings taxes of \$90.0 million up to a maximum of \$4.0 million. These additional monies are intended to supplement not supplant federal LIHEAP assistance to low-income seniors and the disabled. Any Fund monies that are not claimed by LIHEAP-qualified seniors and the disabled shall be used to supplement the primary grants received by any other LIHEAP qualified program participant.

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(iii) Amounts deposited in the Fund's restricted receipt account shall be exempt from the indirect cost recovery charge assessed under 35-4-27 of the general laws.

SECTION 2. This act shall take effect upon passage.